

Proposition 207 Informational/Sentencing Chart

A.R.S. §36-2853

For persons <u>of all ages</u>, it is unlawful to...§36-2853 (A), (C), (D)
Possess greater than one ounce of marijuana but not more than two-and-a-half ounces (no more than twelve-and-a-half grams of which can be marijuana concentrate). <u>Violation - Petty Offense</u>
Smoke marijuana in a public place or open space. <u>Violation - Petty Offense</u>
Be an unlicensed person who cultivates marijuana plants where they are visible from public view. <u>First violation - Petty Offense. Second or subsequent violation - Class 3 Misdemeanor</u>

For persons <u>at least 21 years of age</u>, it is lawful to...	For persons <u>under 21 years of age</u>, it is unlawful to...§36-2853(B)
Possess, consume, purchase, process, manufacture by mechanical, or transport: <ul style="list-style-type: none"> • One ounce or less of marijuana (no more than five grams of which can be marijuana concentrate) 	Possess, consume, transport or transfer without remuneration <ul style="list-style-type: none"> • One ounce or less of marijuana (no more than five grams of which can be marijuana concentrate) <ul style="list-style-type: none"> ⇒ <u>First violation - Civil Penalty</u> of no more than \$100 to the Smart and Safe Arizona fund and court has discretion to order up to four hours of drug education or counseling ⇒ <u>Second violation - Petty Offense</u> and court has discretion to order up to eight hours of drug education or counseling ⇒ <u>Third or subsequent violation - Class 1 Misdemeanor</u>
Possess, transport, cultivate, or process: <ul style="list-style-type: none"> • Up to six marijuana plants for personal use at their primary residence, provided: <ul style="list-style-type: none"> ○ No more than 12 plants are produced at a single residence where two or more individuals who are at least 21 reside ○ Cultivation occurs in an enclosed area with a lock or other security device to prevent minors' access ○ Cultivation occurs where the marijuana plants are not visible from public view 	
Transfer: <ul style="list-style-type: none"> • One ounce or less of marijuana (no more than five grams of which can be marijuana concentrate) to persons 21 or older without remuneration or public advertisement • Up to six marijuana plants to an individual who is 21 or older without remuneration or public advertisement 	Misrepresent their age to induce a person to sell or transfer marijuana <ul style="list-style-type: none"> ⇒ <u>First violation - Petty Offense</u> ⇒ <u>Second or subsequent violation - Class 1 Misdemeanor</u>
Assist another who is 21 or older with any of the activities listed above	Solicit another to purchase marijuana <ul style="list-style-type: none"> ⇒ <u>First violation - Petty Offense</u> ⇒ <u>Second or subsequent violation - Class 3 Misdemeanor</u>

Acquire, possess, manufacture, use, purchase, sell, or transport paraphernalia related to marijuana	Acquire, possess, manufacture, use, purchase, sell, or transport paraphernalia related to marijuana <u>Violation - Civil Penalty</u>
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Other important provisions	
The odor of marijuana does not constitute reasonable suspicion of a crime EXCEPT for DUIs (A.R.S.§ 36-2852(C))	
The weight of marijuana does not include the weight of any other ingredient combined with marijuana to create topical or oral administrations, food, drink or other products (A.R.S.§36-2850(16))	